

## **DECLARATION REGARDING LATE E-FILING OF DOCUMENT**

**RODRIGUEZ TORRES; et al. v. GERARD HEINAUER; et al.**  
**C 07-3345 TEH**

I, Carol E. Wexelbaum declare as follows:

I am employed as a Legal Assistant for the United States Attorney's office, Northern District of California. I was unable to e-file the **JOINT CASE MANAGEMENT STATEMENT** and **[Proposed] ORDER** due to a technical failure of the e-filing system on September 24, 2007. I attempted to e-file the document at least two times after 12:00 noon separated by at least one hour on each day of delay due to such technical failure.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on September 25, 2007 at San Francisco, California.

CAROL E. WEXELBAUM  
Legal Assistant  
/s/